



**CITY OF KINGSTON PLANNING BOARD  
MEETING MINUTES  
July 11, 2016  
Common Council Chambers – 6:00 PM**

**NOTES:** (1) These meeting minutes are a summarization of notes and not an absolute transcript of dialogue. (2) All public hearings were conducted prior to the Planning Board discussions with the applicant(s) and any comment received is included within the written section of the minutes. (3) In the absence of full Planning Board Members, or in the case of a necessary recusal, the Planning Board Alternates will participate in the vote in order of seniority.

A meeting of the City of Kingston Planning Board was held on July 11, 2016 in the Common Council Chambers at Kingston City Hall, 420 Broadway, Kingston, New York. The meeting was called to order at 6:05 PM by Acting Chairperson Mary Jo Wiltshire. (Vice Chairman J.Dwyer stepped back due the matter of the Irish Cultural Center)

**BOARD/ALTERNATE MEMBERS PRESENT:** John Dwyer Jr, Vice-Chairman, MaryJo Wiltshire, Charles Polacco, Jonathan Korn, Jamie Mills and William Tubby.

**BOARD/ALTERNATE MEMBERS ABSENT:** Wayne D. Platte, Jr., Chairman and Robert Jacobsen.

**OTHERS PRESENT:** Suzanne Cahill, Planning Director, Kyla Haber, Assistant Planner.

**GENERAL NOTES:**

1. Pledge of Allegiance
2. Introduction of all Board Members and Staff Present
3. Identify exits, bathrooms, no elevator in case of emergency
4. Silence cell phones, conversations should be taken out of room
5. Respect speakers

**REGULAR BUSINESS:**

**NOTE:** John Dwyer recused himself, due to his affiliation with the Irish Cultural Center, noting that many of the speakers in the audience would be referring to the proposed ICC.

**Item #1:** Open Public Speaking (6:00P.M. – 6:15 P.M.)

Maia Macek – Read into record her comments submitted via email on July 11, 2016 regarding the ICC (Item #9).

"I've been to Planning Board Meetings, have spoken to several property owners in the Rondout area (I'm a renter at 42 Abeel, directly next door to the ICC lot) and am trying to understand how a project of this magnitude got passed for this neighborhood and this specific spot. I'm concerned by the way the ICC plan will alter the neighborhood – they plan to face the building in the opposite direction from all the other structures on that block, to remove any landscaping, so that the lot will be entirely covered by concrete, and to have no windows on any sides of the building other than the Company Path side.

Given the beauty and historical aesthetic of the other buildings on that block, this seems like a decision Kingston will come to regret.

Noise, light bleed, exhaust from their commercial kitchen, not to mention parking, are extremely strong concerns, as well, both for residents and local businesses.

Regarding noise, the factor of the canyon effect for the blocks above the Strand, is already a difficulty. When the ICC claims, as they did in June's Planning Board Meeting, that having only windows that face the Strand would cut down on noise, they are not taking the canyon effect into account, and their plan is extremely misleading. Any noise that is directed at the water bounces immediately back uphill, massively amplified, throughout the hill neighborhoods of the Rondout.

As I said, in my interest to help the Rondout maintain its authenticity, historical beauty, and attraction as a destination, I've spoken with many home and business owners in the immediate area. They've spoken openly about very strict guidelines for renovating in the area. I've heard countless stories about people being denied or delayed in their renovation projects, as city boards look over their project proposals with a discerning eye for historical accuracy and parking concerns.

Why is this same discerning eye not being applied to the Irish Cultural Center project, a massive undertaking that has absolutely no historical accuracy, and potentially won't pay taxes, as a non-profit organization? How is zoning overturned for this project, but denied elsewhere? Why are parking rules, so stringent on much smaller projects, dismissed out of hand for the ICC project?

I have heard them say that they will be providing shuttle service. Where from? All of Kingston has a parking deficit. Where are the parking lots they'll be shuttling people from going to be? At June's Planning Board meeting we were informed that there would be plenty of subsequent meetings where we could continue to open up the conversation about the size and scope of this project, and all the concerns that those of us on the Rondout, both residents and business owners, have. I sincerely hope that is true, and that this conversation is just beginning.

I was compelled to write in before the Planning Board meeting of July 11<sup>th</sup>, because the ICC was laying down boundary lines in white paint over the weekend, which would lead me to believe that they've been given a go-ahead to carry on with their current plan, and that makes me extremely nervous for the future of this neighborhood, as well as curious about how transparent this project actually is.

The ICC's act of laying down boundary lines appears to be in direct opposition to what we were told just a few weeks ago, that there would be time for an extended and open conversation about this, as well as time to appeal the Zoning Board decision of last month to allow the ICC to call the West Strand their zoning base, and thus to be allowed to face in the opposite direction, and to build a commercial behemoth.

By writing this letter, my intention is to insure that the public conversation has a chance to happen, and for everyone's viewpoints and concerns to be heard and answered."

Warren Replansky – attorney representing some of the property owners in the area spoke in reference to the ICC (Item #9) – He stated that there needs to be a public hearing and time to look into zoning matters. He wanted to reaffirm the letter that was submitted to the Board from Ted Fink, Greenplan, dated July 7, 2016, in response to questions requires more time to review and provide analysis on the application submitted for the ICC.

The project is a Type I action because of the project location in the Rondout Historic District. The Board needs to consider requiring a Draft Environmental Impact Statement. Phasing the project is an issue both under SEQR and because of the lack of parking being accommodated for the proposed use. There are potentially high impact uses being proposed. The parking calculation for the ICC should be well over 100 spaces based on the different uses in the building. The phasing attempts to gain a waiver prior phase 2. SEQR says that you can't segment the process. They need to prove that they can accommodate all parking.

There have been no professional submissions on many of the issues that have been brought up. The only responses have been from the applicant's attorney. The LWRP adopted in 1992, stated that there was a serious parking problem in the Rondout.

Referral should be made to the State Historic Preservation Office as an Involved Agency under SEQR. He cited the reference to the Company Hill Path and its integrity.

There should be a stormwater impact study.

The pub use could be considered a drinking establishment which may require a special permit under the zoning code.

A traffic study and parking impact study needs to be done.

T. Fink also states in his letter that the EAF says that there will only be 6 employees. He responds to this by saying that it must be a typographical error.

W. Replansky said that T. Fink identified a number of large impacts in the EAF.

Ronald Pordy – Attorney for the applicant (ICC Item #9) – Felt compelled to speak. He said that he has never been involved in a project where the applicant has spoken so little and the public has spoken so much. There is a group of people that are trying to professionally intervene on this project. He wanted to go on record saying that it is outrageous. It is very unusual that the applicants have not even had the opportunity to present their project. He wanted to go on record objecting to the process. We have not presented the EAF or much of the application.

Tracy Lerman – resident of 43 Crane Street – Spoke about the ICC (Item #9) – Urged the Board to issues a positive SEQR determination. This project will have significant detrimental impact the way it is proposed currently. Is not opposed to the Irish Cultural Center if it was a smaller 9000sf center with dance classes and a museum not an enormous building like what is being proposed. The address being used is 32 Abeel Street but the building is being allowed under zoning for West Strand. What benefits will this add to the neighborhood given that it is a community center? It is important to note that the construction will be utilizing tax payer dollars and that it will be utilizing city services. The Zoning Enforcement Officer made an unprecedented determination that allowed the building to claim a West Strand Street address even though the back of the property does not front West Strand. This allowed for commercial designation rather than residential. Community minded economic development should be pursued.

Joanne Myers – resident of 56 Abeel Street – Spoke about the ICC (Item #9) – The neighborhood has been undergoing a revitalization. This proposed project has interesting

impacts, there are woodchucks that have undermined the property, there is not enough parking, and there is not any parking in front of her house. There will be light and noise pollution. The Rondout Creek creates an echo of noise off of the water. The entire lot will be a building and parking lot. Runoff and erosion will be created from the property. Where will the runoff go? She requested that the Planning Board hold a public hearing so that she could hear what is actually being proposed. Urging a positive determination under SEQRA.

Hillary Harvey – Resident of 26 Abeel Street – Spoke about the ICC (Item #9) – Lived in the Rondout for 7 years and knew none of the details of the project because it changed and grew. Takes issue with what Mr. Pordy said because this is the right and civic duty for propel of the Rondout to weigh in. City resources will be used and this project will ask a lot of the people in the area. It will have countless impacts on the people that live, visit, work, and own businesses in the Rondout. Understands that this is ideally a nice idea. The Reher Multicultural Center is nice also and she is not sure why they haven't gotten as much public funding as this project. It is our civic duty to bring our questions to you. The following questions were asked:

- How and why did this project grow and almost double in size from the last time it was a proposed.
- Attachment C lists all the uses in the area and it does not list the residents. We live there and raise our families. This project does not take into account the people that live there.
- Where are the classrooms for this mini university? There is not a single classroom in the building. There will be dancing in the bar. If I send my child to Irish step dancing, will she be dancing in a bar?
- Parking – The last item on the agenda is to look at parking as a primary use. I hope that you will remember that you will be making private parking lots, this will not solve the problem for the ICC or the people of the Rondout. This would open all of Kingston to the possibility that you can pave anything.
- Ron Pordy said at previous meetings that our calculation that the building can hold 430 people was misleading. But the most recent traffic analysis says that the uses in the building will overlap. If the ICC doesn't need a building that can hold 430 people, than why build a building that can hold 430 people.

Public comments in the minutes did not mention the project specifically.

The majority of the people that are voicing their concerns are worried about their quality of life, they are not out to get the ICC. At the last meeting, the applicants had 45 minutes to present their project. Also, R. Pordy gets all of the communications. The applicants have a lot of face time with the Board. Please take into consideration the concerns of the people that live around this project.

H. Harvey also submitted a petition from Merle Borstein owner of the Armadillo Restaurant.

Matt Colangelo – resident of Glen Street – (Item #9) Always watch and wonder why there are exceptions to rules for certain projects. Is this really a not for profit? This building is large and oddly placed in a residential neighborhood. A not for profit that is generating a lot of income, a restaurant, banquet hall, theater. They will likely apply for assessment reductions. Where is the economic vitality? They are going to need services but they won't be paying for it. There are multiple million dollar projects in Kingston. How can we continue to grow if we ask businesses to operate but not pay their fair share? Do what the people want and not what the small majority wants.

Kevin Ginty – Business man in Kingston – (Item #9) Parking in any urban area is a problem no matter what the rules and regulations are. He is on the Hurley Heritage Board and for Stone House Day, many people come to Hurley, we bus people in. I live by a synagogue and on the high holy days there is not enough parking so they use the parking lots of the Catholic Church. The last man mentioned taxes, and as a business man, I agree. The Catskills don't want industry, they tried to build a power plant here and it went to Athens. Our main business is going to be tourism. The Maritime Center and the Trolley Center is down there. We need to attract tourists, it's a soft industry with no smoke stacks. The Rondout was a much more heavily populated area, Kingston Point was almost as crowded as Disney World. People took boats and trains to the Catskills, that's what built this City. Hotels are being built in the Town of Ulster because they know that tourism is coming back to the Catskills. His daughters and her friends are coming here instead of going to the Hamptons are coming here for vacation. He was on the Hurley Heritage Board and they knew that they would have a parking problem, they addressed it with buses. Gateway used to let Hillside Manor park at their place when they had events, they had valet parking.

The ASK Art Gallery has a 100 seat theater in the second floor with no parking. He has been to events there with no issue. Merle Borstein has the Armadillo Restaurant with no parking. None of the restaurants in the Rondout have parking. The events have that happen utilize buses to get people around which works very well.

The AOH (Staff Note: Ancient Order of Hibernians) operates the Hooley and has for 15 years. Many people would agree that this is one of the best events in the area with 15,000-20,000 people a year. There have never been any arrests. The AOH pays for security, and cleans up. If you are ever going to build anything whether it is uptown Kingston or anywhere, parking will be a topic. In Manhattan, finding a parking spot within 2 blocks would be a miracle. People have to know that there won't be enough parking in an urban environment. The more theaters and museums we have down town, the more tax money will be made. He is not worried about whether the group is a not for profit, people that visit these places bring money into the area, they eat at restaurants giving money to the restaurant and the wait staff. He was on the Board for UPAC when they renovated it. Chris Silva came to him 7 years ago and told him that it would be great for the children if they could bring movies to UPAC like they did them at the Bardavon. I paid for it, no one asked the City, it was a donation.

I think if the people in the Rondout were upset that someone wanted to bring in something cultural, and there is definitely a lot of Irish Culture in the area, it was called Little Dublin a long time ago, because the Irish cut stone, made bricks and built churches, then they should get involved and do something positive, join the Board of the Irish Cultural Center, have an impact. I am sure the ICC would listen if you if you came to their meetings. It is good to see something positive being proposed, get involved.

He was at the car show in Saugerties, there were 10,000 people there and not 10,000 parking spaces. It was a great event, people were visiting all of the local businesses and restaurants. The Maritime Center uses the municipal parking lot, which is what they are for. When there is an event at UPAC, ask Little Italy if it effects their restaurant. These kind of events bring people to the area. If need be, you bus people or make arrangements with churches or other property owners. Parking is not a reason to deny something.

Matt Colangelo – responded to statements made by Kevin Ginty regarding the ICC – he said that the events he is talking about are only once a year, there are only 10 events at UPAC a year. The reality is that it is a bad idea, it is a bad place. Not for profits don't pay sales tax. There

should not be exceptions for a private club that will benefit from not paying taxes but charging for their venue.

Pat Clausi – Spoke about the ICC (Item #9) - Lives on Andrew Street by the High School, when she bought her house, she knew that there were going to be parking problems. It was my choice to move there, I love the high school, I don't love the new building but it is progress and I understand that. I would give up my house before giving up the high school. The ICC has been a vision for 5 years. The neighbors bought the property knowing the ICC was proposed, why you would buy property in a commercial area if you didn't want to live near it. People are complaining about it being a not for profit but the AOH has donated money to charities, to the City, built a monument on Broadway. Months of preparation go into planning events, security, and other aspects. They raise money for these events. There is a lot of Irish heritage and culture in Kingston. Many people don't know what the AOH is about and how much money they donate.

Cheryl Demuth – 68 McEntee Street – Spoke about the ICC (Item #9) – wanted to agree with the previous speakers that expressed concern. She would like to know more about the proposal.

Acting Chairwoman Mary Jo Wiltshire closed the open public speaking.

**Item #2:** Adoption of the June 13, 2016 Planning Board minutes.

**Discussion:** M. Wiltshire asked if the Board had time to review the minutes and if there were any comments or corrections. Kyla Haber will add a note to the June minutes to specify that all speakers were talking about the ICC as mentioned during the public hearing.

**Decision:** The Board voted unanimously to approve the June 13, 2016 minutes. (JK, JM, JD, MW, CP – yes)

### **PUBLIC HEARINGS:**

**Item #3:** #75 & 89 Burgevin Street LOT LINE REVISION of the Lands of Eugene Berardi Jr. and Kimberly Collins. SBL 56.31-5-5.2 & 56.31-5-9.1. SEQR Determination. Zone RRR. Ward 3. Eugene Berardi/applicant; Eugene Berardi & Kimberly Collins/owners.

**Discussion:** No one spoke at the public hearing. Christopher Zell, surveyor, was present at the meeting to represent the applicants. He explained that the application is for a lot line revision between two adjacent property owners to correct a driveway encroachment.

A map of lot line revision dated February 18, 2016 drawn by Christopher Zell, PLS was submitted for the Board's consideration. The map shows that 4 triangular pieces of land will be exchanged. Two sections measured at 75.77sf and 82.96sf will be conveyed from Collins to Berardi and two sections measuring 40.82sf and 117.06sf will be conveyed from Berardi to Collins. Collins frontage on Burgevin Street will be increased by 5ft. while Berardi will decrease by 5ft. Both lots will continue to meet the lot and bulk requirements of 100ft x 125ft.

The applicant is aware that the lot line revision does not become final until it is filed with the Ulster County Clerk. The Ulster County Real Property Tax Agency will not make changes to the City's assessment maps until the map and new deeds are filed.

Written descriptions will need to be submitted for review and approval. The maps submitted for signature must be signed by all the property owner(s).

**Decision:** The Board voted unanimously to render a negative declaration of environmental significance and to approve the lot line revision with the following conditions: written descriptions and board policy #6 – signature on final maps. (JK, JM, JD, MW, CP – yes)

**Item #4:**     #327-329 Wall Street SPECIAL PERMIT renewal for residential use in the C-2/Mixed Use Overlay District, Stockade Historic District. SBL 48.331-1-11. SEQR Determination. Zone C-2/Mixed Use Overlay District. Ward 2. 329 Wall Street LLC; applicant/owner.

**Discussion:** No one spoke at the public hearing. Michelle Lerner was present at the meeting to represent the applicant.

The special permit renewal is for four residential units on the 2<sup>nd</sup> and 3<sup>rd</sup> floors of the building. The permit was initially approved and issued by the Planning Board in January 2006 with the most recent renewal in April 2013 for a period of 3 years.

The Board asked if there were any changes to the permit and if the units were occupied. The applicant said that all the units were occupied and that there were no changes except that the ground floor tenant changed from one dress shop to another.

There were no issues listed with the Police and Building Departments.

The Board discussed a term for the permit. Section 405-32 of the Zoning Code was amended to allow for longer terms for residential use in the Mixed Use Overlay District. The initial term for a permit is 1 year but subsequent renewals can be made longer if there are no issues with the operations or the site. Staff recommended increasing the term to 5 years, with all original conditions carried forward. The Board agreed to increase the term to 5 years.

A determination of environmental significance was considered. Because the project involves no changes, it was categorized as a Type II Action under 6NYCRR Part 617.5 (c) (26), and therefore is predetermined by New York State to have no environmental impact and no SEQR review of the Board was required.

**Decision:** The Board voted unanimously to render the action a Type II under SEQR and to approve the special permit renewal for a period of 5 years, expiring on July 11, 2021, with all original conditions carried forward. (CP, JK, MW, JD, JM – yes)

**Item #5:**     #31 N. Front Street SPECIAL PERMIT renewal to convert storage space to 2 apartments. SBL 48.314-2-3.120. SEQR Determination. Zone C-2, Heritage Area, Stockade Historic District Ward 2. Turu Illgen Architect PLLC/architect; Wild Lee, LLC/owner.

**Discussion:** No one spoke at the public hearing. Lee Thompson was present at the meeting. The renewal of the special permit is for two, 1-bedroom apartment units on the 2<sup>nd</sup> and 3<sup>rd</sup> floors of a commercial building in the Mixed Use Overlay District. The building is located adjacent to the former parking garage site. The ground floor of the building is occupied by Uncle Willy's, a restaurant and pub.

The owners have not begun the project yet. They have been working on another building that they purchased in Kingston on Foxhall Avenue, formerly occupied by Cozy Tavern. The contractor will be moving to this project when the Foxhall Avenue building is complete. The Board asked what the timeframe is to begin renovations to this building. L. Thompson said that a conservative estimate would be 2 months.

The applicants are aware that Historic Landmarks Preservation Commission and Heritage Area Commission approvals are required.

A term for the special permit was discussed. The zoning code section 405-32(F)(1) states that the Board shall issue the initial permit for a period of 1 year. The initial 1 year term has passed, however, because the project has not started yet, staff recommends that term be continued for 1 year.

Board Policy #6 will need to be signed on the plans.

A determination of environmental significance was discussed. Because the project involves no changes and is purely an administrative act of renewal, it was categorized as a Type II action under SEQR, and therefore is predetermined to have no environmental impact and no SEQR review of the Board is required.

**Decision:** The Board voted unanimously to render the action a Type II under SEQR and to approve the special permit for a period of 1 year, expiring on July 11, 2017 with all original conditions carried forward. Historic Landmarks Preservation Commission and Heritage Area Commission approvals are required to approve any exterior changes to the building. (JM, JK, MW, JD, CP – yes)

**Item #6:**      **#314 Wall Street** SPECIAL PERMIT renewal to operate an apartment. SBL 48.331-2-10. SEQR Determination. Zone C-2/Mixed Use Overlay/Stockade Historic District. Ward 2. Lumina Holdings, LLC; applicant/owner.

**Discussion:** No one spoke at the public hearing. Felicia Chartier was present at the meeting to represent the applicant. The applicant had requested additional apartments in the past, however, they were never created and the space remained office space. The applicant has received renewals since 1999 with the most recent permit issued in May 2013 for a period of 3 years.

There are no issues listed with the BSD or the Police Department. The applicant was advised to submit required paperwork for the sprinkler system to the Building Safety Division.



A term for the special permit was discussed. The previous term was three years. The Board agreed to issue a 5 year term.

A determination of environmental significance was discussed. Because the project involves no changes and is purely an administrative act of renewal, it was categorized as a Type II action under SEQR, and therefore was predetermined to have no environmental impact and no SEQR review by the Board is required.

**Decision:** The Board voted unanimously to render the action a Type II under SEQR and to approve the special permit for a period of 5 year, expiring on July 11, 2021, with all original conditions carried forward. (JM, JD, MW, CP, JK – yes)

**Item #7:**      **#346 Broadway** SPECIAL PERMIT to establish an apartment on the second floor in the Mixed Use Overlay District. SBL 56.26-11-9. SEQR Determination. Zone C-2, MUOD, HAC. Ward 9. Jonathan Butler/applicant; Spencer, DeShields & Turner LLC/owner.

**NOTE:** Jonathon Korn recused himself due to his real estate company being involved in the sale. John Dwyer recused himself due to his affiliation with the attorney as it relates to the Irish Cultural Center.

**Discussion:** No one spoke at the public hearing. Jonathan Butler and Ronald Pordy, his attorney, were present at the meeting. The applicant explained that he would like to create a 2 bedroom apartment on the upper floor of a 2 story building on Broadway. The building was previously occupied as the “Rendezvous Lounge.” The applicant is a prospective purchaser.

J. Butler, is the same applicant that is pursuing the development of the Smorgasburg at 200 North Street. He said that he will likely be in the area regularly and that he would need a place to stay over from time to time. He also said that the ground floor restaurant space could be used for one of the vendors from Smorgasburg. He would like to keep it as a restaurant.

The floor plans show that there is a separate entrance along the side of the building leading to the apartment. All bedrooms are located in the rear of the unit with the kitchen and living room nearest to Broadway.

The applicant was advised that if the space is not owner occupied, he will need to be landlord registered with the Building Safety Division.

The Board requested that a Knox Box be added to the building to allow for emergency access by the Fire Department in case of emergency.

The Board waived the parking requirement for the building under previous applications based on the proximity to the municipal parking lot on Broadway. The requirement for a 2 bedroom unit is 2 parking spaces. Staff recommended to continue the waiver.

A term for the special permit was discussed. The zoning code requires an initial term of 1 year in the mixed use overlay district. Following the year, the Board can increase the term. R. Pordy asked if the term could begin 1 year from the date of closing because the property would not be

under his ownership for a few months. The Board agreed. The applicant will need to notify the Planning Office when the transfer takes place.

The following Board Policies were included during review of the ground floor commercial space: #6 – signature, #10 – banners flags and string devices prohibited except for grand opening, #11 – signage limited to 20% of the windows.

**Decision:** The Board voted unanimously to render a negative declaration of environmental significance, continue the off-street parking waiver and to approve the special permit for a period of 1 year, expiring 1 year from the date of closing with the following conditions: landlord registration for the apartment, a Knox Box added to the building for emergency access by the Fire Department, and Board Policy #6 – signature on final plans. The applicant was also reminded that the following Board Policies were included in the approval for the ground floor commercial space: 10 – banners and flags prohibited with the exception of grand openings, and #11 – window signage limited to 20% of the windows. (JM, WT, CP, MW – yes; JK, JD – recuse)

#### **NEW BUSINESS:**

**Item #8:**      **#145 Pine Grove Avenue & #152 West O'Reilly Street** SITE PLAN to construct a 35'x36' building to house a new crematorium. SBL 56.33-3-46 & 56.41-3-5.100. SEQR Determination. Zone RRR. Ward 5 & 9. Wiltwyck Rural Cemetery; applicant/owner.

**Discussion:** Christopher Zell, trustee for Wiltwyck Rural Cemetery, was present at the meeting. He explained that the cemetery is looking for approval to construct a 35'x60' building to be used as a crematorium and office.

The building will replace the existing crematorium which shares a building with the maintenance use. C. Zell said that the cemetery is receiving more and more requests for viewings during cremation and the current building is not set up for it. He said that the funeral directors in the area have been requesting upgrades because of the time that the current cremations take. Wiltwyck is the only crematorium between Poughkeepsie and Albany and that the current system is not state of the art. New equipment could significantly reduce the length of time it takes for each body. New equipment would also be able to handle larger bodies.

C. Zell presented a draft site plan proposed locations for the new building and roadway. C. Zell, of Brinnier and Larios, PC said that detail sheets were not ready for this meeting but that they planned to return in September with additional information.

The Board asked how many cremations take place at this location. C. Zell said that they had done 400 in 2016 so far. Cremation is becoming increasingly popular.

Elevations have not been done. C. Zell said that the new building will look more like the mausoleum. It will be near the mausoleum but will not be very visible from the road. During leaf season, it is likely that it will not be seen at all from the street. No landscaping is proposed except for possibly some small planted areas near the entrances.

The Board asked what will become of the old building. C. Zell said that it will be entirely used for maintenance.

Water and gas service will be extended to the new building from the mausoleum with bathroom facilities tied into the existing septic system.

C. Zell said that stormwater details are being worked out and should be ready for September.

The Board asked about funding the project. C. Zell said that the money will be a private bank loan. It will be an expensive endeavor.

**Decision:** The Board voted unanimously to table the application. (JM, JK, MW, JD, CP – yes)

#### **OLD BUSINESS:**

**Item #9:**      #32 Abeel Street & 33-39 Abeel Street SITE PLAN to construct a 16,889sf community center. SBL 56.43-5-35.100 & 56.43-3-27. SEQOR Determination. Zone RT, Rondout Historic District, HAC. Ward 8. Irish Cultural Center Hudson Valley Inc.; applicant/owner.

**NOTE:** Item #9 was discussed at the beginning of the meeting right after the open public speaking portion of the meeting was closed.

John Dwyer recused himself based on his affiliation with the Irish Cultural Center.

**Discussion:** Bob Carey, applicant; Ronald Pordy, attorney; William Agresta, planner; and Brad Will, architect were present at the meeting.

The Board had requested a site visit to the property, which had been set for July 20<sup>th</sup>, 2016 at 5pm. A public notice would be created and sent out advertising the visit. R. Pordy added that there would need to be some consideration on how the site visit would be conducted due to issues of trespass. There may be a need to have discussions take place on the sidewalk area.

The Board also agreed to arrange to have a special meeting to discuss only the Irish Cultural Center application and to allow the applicants' time to thoroughly present their project and the Environmental Assessment Form. The meeting date will need to be decided based on availability of Board members and the applicant's team. After that, a public hearing will be scheduled to allow the public additional time to voice their concerns.

R. Pordy stated for the record that the applicant has spoken the least out of anyone. He would like the opportunity for the applicant to present the EAF and to address many of the questions and comments that have been identified by the public.

**Decision:** The Board voted unanimously to table the application. The site visit for the Planning Board was set for 7/20/15 at 5pm. A special meeting and public hearing will be scheduled. (MW, CP, JK, JM, WT – yes; JD – recuse)

#### **DISCUSSION:**

**Item #10:**     **#2 Jansen Avenue** DISCUSSION to convert an existing building to brewery and tasting room. SBL 56.26-5-32. SEQR Determination. Zone C-3. Ward 9.

NOTE: Jonathon Korn recused himself as a realtor for the buyer.

**Discussion:** Tait Simpson was present at the meeting. He explained that he requested the opportunity to meet with the Board to present a potential plan to create a brewery and tasting room at 2 Jansen Avenue. The two buildings are currently occupied by the Sunshine Market and a transmission repair.

T. Simpson presented a draft plan explaining that the Sunshine Market building would become the brewery while the transmission repair would become the tasting room. They would also like to add a patio for outside seating. The plans showed the proposed malt storage area and a cold storage area.

T. Simpson explained that waste could be used by farmers as animal feed. He also said that sometimes bakeries would use it but not in this quantity.

W. Tubby asked whether the market would remain in operation. T. Simpson said that there are a few years on their lease but that if the brewery were to occupy the space, the market would no longer be in operation.

J. Dwyer asked what the barrel capacity would be. T. Simpson said that they would likely be doing 15 barrel batches with approximately 2000 barrels per year. He said that it would be a small operation.

T. Simpson said that they would want to open the bay door in the center and that deliveries would be by box trucks.

S. Cahill asked if there were any odors associated with the process. T. Simpson responded that the smell is similar to a bakery smell.

C. Polacco asked how many employees they expect. T. Simpson said that they anticipate 5 full time employees.

The Board asked whether there are plans to bottle the product. T. Simpson said that they will initially be using kegs but that they plan to begin bottling fairly quickly.

T. Simpson said that he was informed that some of the parking area is encroaching on the City of Kingston property and that the rail trail may possibly extend into this area in the future. He said that if the purchase moves forward, they would be willing to collaborate with the City on whatever upgrades are proposed.

**Decision:** No action was taken by the Board because a formal application has not been submitted at this time.

**ZONING AMENDMENT:**

**Item #11:**     Off-Street Parking as Primary Use DISCUSSION on recommendation to allow consideration of off-street parking to be established as a primary use of a property.

**Discussion:** The Board agreed to postpone the discussion on parking to allow for all Board members to be present.

**Decision:** No discussion or action was taken by the Board.

July 11.2016/MINUTES